

110TH CONGRESS  
1ST SESSION

# S. RES. 368

Expressing the sense of the Senate that, at the 20th Regular Meeting of the International Commission on the Conservation of Atlantic Tunas, the United States should pursue a moratorium on the eastern Atlantic and Mediterranean bluefin tuna fishery to ensure control of the fishery and further facilitate recovery of the stock, pursue strengthened conservation and management measures to facilitate the recovery of the Atlantic bluefin tuna, and seek a review of compliance by all Nations with the International Commission for the Conservation of Atlantic Tunas' conservation and management recommendations for Atlantic bluefin tuna and other species, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 2007

Mr. KERRY (for himself, Ms. SNOWE, and Mr. STEVENS) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation

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# RESOLUTION

Expressing the sense of the Senate that, at the 20th Regular Meeting of the International Commission on the Conservation of Atlantic Tunas, the United States should pursue a moratorium on the eastern Atlantic and Mediterranean bluefin tuna fishery to ensure control of the fishery and further facilitate recovery of the stock, pursue strengthened conservation and management measures to facilitate the recovery of the Atlantic bluefin tuna, and seek a review of compliance by all Nations with the International Commission for the Conservation

of Atlantic Tunas' conservation and management recommendations for Atlantic bluefin tuna and other species, and for other purposes.

Whereas Atlantic bluefin tuna are a valuable commercial and recreational fishery of the United States and many other countries;

Whereas the International Convention for the Conservation of Atlantic Tunas entered into force on March 21, 1969;

Whereas the Convention established the International Commission for the Conservation of Atlantic Tunas to coordinate international research and develop, implement, and enforce compliance of the conservation and management recommendations on the Atlantic bluefin tuna and other highly migratory species in the Atlantic Ocean and the adjacent seas, including the Mediterranean Sea;

Whereas in 1974, the Commission adopted its first conservation and management recommendation to ensure the sustainability of Atlantic bluefin tuna throughout the Atlantic Ocean and Mediterranean Sea, while allowing for the maximum sustainable catch for food and other purposes;

Whereas in 1981, for management purposes, the Commission adopted a working hypothesis of 2 Atlantic bluefin tuna stocks, with 1 occurring west of 45 degrees west longitude (hereinafter referred to as the "western Atlantic stock") and the other occurring east of 45 degrees west longitude (hereinafter referred to as the "eastern Atlantic and Mediterranean stock");

Whereas, despite scientific recommendations intended to maintain bluefin tuna populations at levels that will permit the maximum sustainable yield and ensure the future of the stocks, the total allowable catch quotas have been consistently set at levels significantly higher than the recommended levels for the eastern Atlantic and Mediterranean stock;

Whereas despite the establishment by the Commission of fishing quotas based on total allowable catch levels for the eastern Atlantic and Mediterranean bluefin tuna fishery that exceed scientific recommendations, compliance with such quotas by parties to the Convention that harvest that stock has been extremely poor, most recently with harvests exceeding such total allowable catch levels by more than 50 percent for each of the last 4 years;

Whereas insufficient data reporting in combination with unreliable national catch statistics has frequently undermined efforts by the Commission to assign quota overharvests to specific countries;

Whereas the failure of many Commission members fishing east of 45 degrees west longitude to comply with other Commission recommendations to conserve and control the overfished eastern Atlantic and Mediterranean bluefin tuna stock has been an ongoing problem;

Whereas the Commission's Standing Committee on Research and Statistics noted in its 2006 report that the fishing mortality rate for the eastern Atlantic and Mediterranean stock may be more than 3 times the level that would permit the stock to stabilize at the maximum sustainable catch level, and continuing

to fish at the level of recent years “is expected to drive the spawning biomass to a very low level” giving “rise to a high risk of fishery and stock collapse”;

Whereas the Standing Committee has recommended that the annual harvest levels for eastern Atlantic and Mediterranean bluefin tuna be reduced from 32,000 metric tons to approximately 15,000 metric tons to halt decline of the resource and initiate rebuilding, and the United States supported this recommendation at the 2006 Commission meeting;

Whereas in 2006, the Commission adopted the “Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the eastern Atlantic and Mediterranean” containing a wide range of management, monitoring, and control measures designed to facilitate the recovery of the eastern Atlantic and Mediterranean bluefin tuna stock;

Whereas the Recovery Plan is inadequate and allows overfishing and stock decline to continue, and initial information indicates that implementation of the plan in 2007 by many eastern Atlantic and Mediterranean bluefin tuna harvesting countries has been poor;

Whereas since 1981, the Commission has adopted additional and more restrictive conservation and management recommendations for the western Atlantic bluefin tuna stock, and these recommendations have been implemented by Nations fishing west of 45 degrees west longitude, including the United States;

Whereas despite adopting, fully implementing, and complying with a science-based rebuilding program for

the western Atlantic bluefin tuna stock by countries fishing west of 45 degrees west longitude, catches and catch rates remain very low;

Whereas many scientists believe that mixing occurs between the western Atlantic bluefin tuna stock and the eastern Atlantic and Mediterranean stock, and as such, poor management and noncompliance with recommendations for one stock are likely to have an adverse effect on the other stock; and

Whereas additional research on stock mixing will improve the understanding of the relationship between eastern and western bluefin tuna stocks and other fisheries, which will assist in the conservation, recovery, and management of the species throughout its range: Now, therefore, be it

1       *Resolved*, That it is the sense of the Senate that the  
2 United States delegation to the 20th Regular Meeting of  
3 the International Commission for the Conservation of At-  
4 lantic Tunas, should—

5           (1) seek the adoption of a harvesting morato-  
6 rium, which includes appropriate mechanisms to en-  
7 sure compliance, on the eastern Atlantic and Medi-  
8 terranean bluefin tuna fishery of sufficient duration  
9 to begin the process of stock recovery and allow for  
10 the development and implementation of an effective  
11 program of monitoring and control on the fishery  
12 when the moratorium ends;

1           (2) seek to strengthen the conservation and  
 2           management of the eastern Atlantic and Mediterra-  
 3           nean bluefin tuna by making recommendations to  
 4           halt the decline of the stock and begin to rebuild it;

5           (3) reevaluate the implementation, effectiveness,  
 6           and relevance of the Commission recommendation  
 7           entitled “Recommendation by ICCAT to Establish a  
 8           Multi-Annual Recovery Plan for Bluefin Tuna in the  
 9           eastern Atlantic and Mediterranean” (Recommendation  
 10          06–05), and seek from Commission members  
 11          that have failed to fully implement the terms of the  
 12          recommendations detailed justification for their lack  
 13          of compliance;

14          (4) pursue a review and assessment of compli-  
 15          ance with conservation and management measures  
 16          adopted by the Commission and in effect for the  
 17          2006 eastern Atlantic and Mediterranean bluefin  
 18          tuna fishery, occurring east of 45 degrees west lon-  
 19          gitude, and other fisheries that are subject to the ju-  
 20          risdiction of the Commission, including data collec-  
 21          tion and reporting requirements;

22          (5) seek to address noncompliance by parties to  
 23          the Convention with such measures through appro-  
 24          priate actions, including, as appropriate, deducting a  
 25          portion of a future quota for a party to compensate

1       for such party exceeding its quota in prior years;  
2       and  
3           (6) pursue additional research on the relation-  
4       ship between the western Atlantic and eastern At-  
5       lantic and Mediterranean bluefin tuna stocks and  
6       the extent to which the populations intermingle.

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